



General Assembly

Substitute Bill No. 1093

January Session, 2003

**AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION
STATUTES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (d) of section 10-14n of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2003*):

4 (d) [If] Student scores on each component of the state-wide tenth
5 grade mastery examination may be included on the permanent record
6 and transcript of each student who takes such examination provided,
7 for a student who meets or exceeds the state-wide mastery goal level
8 on [each] any component of the state-wide tenth grade mastery
9 examination, certification of [such mastery] having met or exceeded
10 such goal level shall be made on the permanent record and the
11 transcript of each such student and such student shall be issued a
12 certificate of mastery for such component. Each student who fails to
13 meet the mastery goal level on each component of said mastery
14 examination may annually take or retake each such component at its
15 regular administration until such student scores at or above each such
16 state-wide mastery goal level or such student graduates or reaches age
17 twenty-one.

18 Sec. 2. Subsection (d) of section 10-145f of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective July*
20 *1, 2003*):

21 (d) Any person who is first issued a certificate valid after July 1,
22 1989, or who is reissued a certificate after July 1, 1989, shall, except as
23 otherwise provided in this subsection, be required to achieve a
24 satisfactory evaluation on a professional knowledge clinical
25 assessment [within two years after commencing teaching in a public
26 school] not later than the end of the second year of teaching in a public
27 school if hired prior to January first or, if hired on or after January first,
28 not later than the end of the second full school year of teaching
29 following the year in which such person was hired in order to retain
30 the certificate. The commissioner (1) may waive the requirement that
31 such satisfactory evaluation on a professional knowledge clinical
32 assessment be achieved upon a determination that such assessment is
33 not valid for the person's teaching assignment, or (2) upon a showing
34 of good cause, may extend the time limit for the assessment [by one
35 year] for a period of time not exceeding two years. The requirement of
36 a clinical assessment shall not apply to any such person who has
37 completed at least three years of successful teaching in a public school
38 or a nonpublic school approved by the appropriate state board of
39 education during the ten years immediately preceding the date of
40 application or who successfully taught with a provisional teaching
41 certificate during the year immediately preceding an application for a
42 provisional educator certificate as an employee of a local or regional
43 board of education or facility approved for special education by the
44 State Board of Education. Notwithstanding the provisions of this
45 subsection, [to the contrary,] the State Board of Education may reissue
46 an initial educator certificate to a person who held such certificate and
47 did not achieve a satisfactory evaluation on a professional knowledge
48 clinical assessment provided the person submits evidence
49 demonstrating significant intervening study and experience, in
50 accordance with standards established by the State Board of
51 Education.

52 Sec. 3. Subsection (d) of section 10-220a of the general statutes is
53 repealed and the following is substituted in lieu thereof (*Effective July*
54 *1, 2003*):

55 (d) The [state] Department of Education may fund, within available
56 appropriations, in cooperation with one or more regional educational
57 service centers: (1) A cooperating teacher program to train Connecticut
58 public school teachers and certified teachers at private special
59 education facilities approved by the Commissioner of Education and at
60 other facilities designated by the commissioner, who participate in the
61 supervision, training and evaluation of student teachers; (2) institutes
62 to provide continuing education for Connecticut public school
63 educators, assessors and cooperating teachers and teacher mentors,
64 including institutes to provide continuing education for Connecticut
65 public school educators offered in cooperation with the Connecticut
66 Humanities Council; and (3) a beginning teacher support and
67 assessment program to train Connecticut public school teachers and
68 other qualified persons approved by the Commissioner of Education
69 and certified teachers at such private special education and other
70 designated facilities who serve as mentors or assessors for beginning
71 teachers and who supervise, train and assist or assess beginning
72 teachers in their initial years in teaching and to pay stipends to
73 assessors. Funds available under this subsection shall be paid directly
74 to school districts for the provision of substitute teachers when
75 cooperating teachers, teacher mentors, beginning teachers and
76 assessors are released from regular classroom responsibilities and for
77 the provision of professional development activities for cooperating
78 and student teachers, teacher mentors, assessors and beginning
79 teachers. The cooperating teacher and beginning teacher support and
80 assessment programs shall operate in accordance with regulations
81 which shall be adopted by the State Board of Education pursuant to
82 chapter 54. Student teachers shall be placed with trained cooperating
83 teachers. Beginning teachers shall participate in a beginning teacher
84 support and assessment program as made available by the board.
85 School districts shall be responsible for providing support to beginning
86 teachers which shall include, but not be limited to, the placement of
87 beginning teachers with trained teacher mentors who may be full or
88 part-time teachers in the same or a different building than the
89 beginning teacher and provision of trained assessors to conduct

90 assessments of beginning teachers. Cooperating teachers, teacher
91 mentors and assessors may serve concurrently in more than one
92 capacity and may be assigned more than one student teacher or
93 beginning teacher in each such capacity. The assessment of each
94 beginning teacher shall be based upon, but not limited to, data
95 obtained from observations conducted by assessors using an
96 assessment instrument. [Notwithstanding any regulation to the
97 contrary, the State Board of Education may require less than six
98 observations as part of such assessment for the fiscal year ending June
99 30, 1992, and may establish different assessment standards for use
100 during such fiscal year. Notwithstanding any regulation to the
101 contrary, a] A beginning teacher [need not] shall be assessed by [a
102 certified teacher who holds a certification endorsement] educators with
103 teaching experience in the same general subject area as such beginning
104 teacher. Cooperating teachers and teacher mentors who are
105 Connecticut public school teachers and assessors who are employed by
106 school districts shall be selected by local and regional boards of
107 education. Cooperating teachers and teacher mentors and assessors at
108 such private special education and other designated facilities shall be
109 selected by the authority responsible for the operation of such facilities.
110 If a board of education is unable to identify a sufficient number of
111 individuals to serve in such positions, the commissioner may select
112 qualified persons who are not employed by the board of education to
113 serve in such positions. Such regulations shall require primary
114 consideration of teachers' classroom experience and recognized success
115 as educators. The provisions of sections 10-153a to 10-153n, inclusive,
116 shall not be applicable to the selection, placement and compensation of
117 persons participating in the cooperating teacher and beginning teacher
118 support and assessment programs pursuant to the provisions of this
119 section and to the hours and duties of such persons. The State Board of
120 Education shall protect and save harmless, in accordance with the
121 provisions of section 10-235, any cooperating teacher, teacher mentor
122 or assessor while serving in such capacity.

123 Sec. 4. Subsection (b) of section 10-226a of the general statutes is

124 repealed and the following is substituted in lieu thereof (*Effective July*
125 *1, 2003*):

126 (b) As used in sections 10-226a to 10-226e, inclusive, "pupils and
127 teachers of racial minorities" means those whose [racial ancestry] race
128 is defined as other than white, or whose ethnicity is defined as
129 Hispanic or Latino by the federal Office of Management and Budget
130 for use by the Bureau of Census of the United States Department of
131 Commerce.

132 Sec. 5. (NEW) (*Effective July 1, 2003*) No examination required for
133 students in the seventh through twelfth grades, inclusive, pursuant to
134 chapter 163c of the general statutes, or in accordance with the
135 provisions of the No Child Left Behind Act, P.L. 107-110, shall be
136 administered earlier than nine o'clock a.m.

137 Sec. 6. Subsections (b) and (c) of section 10-261a of the general
138 statutes are repealed and the following is substituted in lieu thereof
139 (*Effective July 1, 2003*):

140 (b) The Secretary of the Office of Policy and Management shall,
141 annually, no later than the first day of August submit the equalized net
142 grand list for each town to the State Board of Education and the
143 Commissioner of Education for purposes of computing the amount of
144 grant payable to any town under the provisions of said section 10-262i.

145 (c) The Secretary of the Office of Policy and Management shall,
146 annually, no later than the first day of May mail to the chief executive
147 officer and the assessor in each town [and to the State Board of
148 Education,] notification concerning the equalized net grand list
149 computed with respect to such town. Within fifteen days following
150 receipt of such notification, any town may appeal to the secretary for a
151 hearing concerning such equalized net grand list, provided such
152 appeal shall be in writing and include a statement as to the reasons for
153 such appeal. The secretary shall, within fifteen days following receipt
154 of such appeal, grant or deny such hearing by notification in writing,
155 including in the event of denial, a statement as to the reasons for such

156 denial. If any town is aggrieved by the action of the secretary following
157 such hearing or in denying any such hearing, such town may, within
158 thirty days, appeal to the superior court for the judicial district in
159 which such town is located. Such appeal shall be a preferred case, to be
160 heard, unless cause appears to the contrary, at the first session, by the
161 court. Upon all such appeals which are denied, costs may be taxed
162 against the town at the discretion of the court, but no costs shall be
163 taxed against the state.

164 Sec. 7. Section 10-262k of the general statutes is repealed and the
165 following is substituted in lieu thereof (*Effective July 1, 2003*):

166 Notwithstanding any provision of the general statutes, [to the
167 contrary,] the board of education which has jurisdiction over the
168 schools in any town (1) with a total population, as defined in
169 subdivision (7) of subsection (a) of section 10-261, greater than twenty
170 thousand, and (2) in which the grant mastery percentage, as defined in
171 subdivision [(8)] (12) of section 10-262f, is greater than twenty per cent
172 may annually apply to the Commissioner of Education, on such forms
173 as the commissioner may prescribe, to receive not more than two per
174 cent of the town's grant entitlement pursuant to section 10-262h for the
175 subsequent fiscal year for compensatory education programs. At the
176 time of application, the board of education shall notify the board of
177 finance in each town or city having a board of finance, the board of
178 selectmen in each town having no board of finance or otherwise the
179 authority making appropriations for the school district of the
180 application. Upon submission of a timely application to the
181 commissioner, the commissioner shall deduct such amount from the
182 payment made to the town in October of such subsequent fiscal year
183 pursuant to section 10-262i, and the board of education shall receive a
184 grant in such amount.

185 Sec. 8. Subsection (a) of section 10-76g of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective July*
187 *1, 2003*):

188 (a) (1) For the fiscal year ending June 30, 1984, and each fiscal year
189 thereafter, in any case in which special education is being provided at
190 a private residential institution, including the residential components
191 of regional educational service centers, to a child for whom no local or
192 regional board of education can be found responsible under subsection
193 (b) of section 10-76d, the Department of Children and Families shall
194 pay the costs of special education to such institution pursuant to its
195 authority under sections 17a-1 to 17a-26, inclusive, 17a-28 to 17a-50,
196 inclusive, and 17a-52. (2) For the fiscal year ending June 30, 1993, and
197 each fiscal year thereafter, any local or regional board of education
198 which provides special education and related services for any child (A)
199 who is placed by a state agency in a private residential facility or who
200 is placed in a facility or institution operated by the Department of
201 Children and Families and who receives such special education at a
202 program operated by a regional education service center or program
203 operated by a local or regional board of education, and (B) for whom
204 no local or regional board of education can be found responsible under
205 subsection (b) of section 10-76d, shall be eligible to receive one
206 hundred per cent of the reasonable costs of special education for such
207 child as defined in the regulations of the State Board of Education. Any
208 such board eligible for payment shall file with the [state] Department
209 of Education, in such manner as prescribed by the Commissioner of
210 Education, annually, on or before December first a statement of the
211 cost of providing special education for such child, provided a board of
212 education may submit, not later than [February] March first, claims for
213 additional children or costs not included in the December filing.
214 Payment by the state for such costs shall be made to the local or
215 regional board of education as follows: Seventy-five per cent of the
216 cost in February and the balance in [April] May.

217 Sec. 9. Subsection (b) of section 10-265l of the general statutes is
218 repealed and the following is substituted in lieu thereof (*Effective July*
219 *1, 2003*):

220 (b) Subject to the provisions of this subsection, each local and
221 regional board of education for a priority school district shall require

222 (1) for the 2000-2001 school year, and each school year thereafter,
223 students in the schools under its jurisdiction who fail to reach the state-
224 wide standard for remedial assistance on the reading component of
225 such fourth grade mastery examination to attend school the summer
226 following the examination on which they failed to reach such standard,
227 and (2) within available appropriations, for the 2001-2002 school year,
228 and each school year thereafter, students in the schools under its
229 jurisdiction who fail to reach the state-wide standard for remedial
230 assistance on such sixth grade mastery examination to attend school
231 the summer following the examination on which they failed to reach
232 such standard. The superintendent of schools may exempt an
233 individual student from such requirement, upon the recommendation
234 of the school principal, based on the student's progress with the
235 additional instruction provided pursuant to subsection (a) of this
236 section. If a student does not receive such an exemption, has been
237 offered the opportunity to attend a summer school program and fails
238 to attend summer school, the local or regional board of education shall
239 not promote the student to the next grade.

240 Sec. 10. Subsection (b) of section 10-262n of the general statutes is
241 repealed and the following is substituted in lieu thereof (*Effective July*
242 *1, 2003*):

243 (b) Local and regional boards of education shall apply to the
244 department for grants at such time and in such manner as the
245 Commissioner of Education prescribes. In order to be eligible for a
246 grant, a local or regional board of education shall: (1) Have a
247 technology plan that was developed or updated during the [two-year]
248 three-year period preceding the date of application for grant funds
249 and, once the Commission for Educational Technology develops the
250 long-range plan required pursuant to subdivision (5) of subsection (c)
251 of section 4d-80, the local technology plan shall be consistent with such
252 long-range plan, (2) provide that each school and superintendent's
253 office be able to communicate with the Department of Education using
254 the Internet, (3) present evidence that it has applied or will apply for a
255 grant from the federal Universal Service Fund, and (4) submit a plan

256 for the expenditure of grant funds in accordance with subsection (c) of
257 this section.

258 Sec. 11. Subsection (a) of section 10-19o of the general statutes is
259 repealed and the following is substituted in lieu thereof (*Effective July*
260 *1, 2003*):

261 (a) The Commissioner of Education shall establish a program to
262 provide grants to youth service bureaus in accordance with this
263 section. Only youth service bureaus which were eligible to receive
264 grants pursuant to this section for the fiscal year ending June 30, [2001]
265 2003, or which applied for a grant by June 30, [2001] 2003, with prior
266 approval of the town's contribution pursuant to subsection (b) of this
267 section, shall be eligible for a grant pursuant to this section for any
268 fiscal year commencing on or after July 1, [2001] 2003. Each such youth
269 service bureau shall receive a grant of fourteen thousand dollars. The
270 Department of Education may expend an amount not to exceed two
271 per cent of the amount appropriated for purposes of this section for
272 administrative expenses. If there are any remaining funds, each such
273 youth service bureau that was awarded a grant in excess of fifteen
274 thousand dollars in the fiscal year ending June 30, 1995, shall receive a
275 percentage of such funds. The percentage shall be determined as
276 follows: For each such grant in excess of fifteen thousand dollars, the
277 difference between the amount of the grant awarded to the youth
278 service bureau for the fiscal year ending June 30, 1995, and fifteen
279 thousand dollars shall be divided by the difference between the total
280 amount of the grants awarded to all youth service bureaus that were
281 awarded grants in excess of fifteen thousand dollars for said fiscal year
282 and the product of fifteen thousand dollars and the number of such
283 grants for said fiscal year.

284 Sec. 12. Subsection (b) of section 10-4 of the general statutes is
285 repealed and the following is substituted in lieu thereof (*Effective from*
286 *passage*):

287 (b) Said board shall submit to the Governor [, as provided in section

288 4-60,] and to the joint standing committee of the General Assembly
289 having cognizance of matters relating to education [, a detailed
290 statement of the activities of the board and] an account of the condition
291 of the public schools and of the amount and quality of instruction
292 therein and such other information as will assess the true condition,
293 progress and needs of public education.

294 Sec. 13. Subsection (a) of section 10-145b of the general statutes is
295 repealed and the following is substituted in lieu thereof (*Effective July*
296 *1, 2003*):

297 (a) The State Board of Education, upon receipt of a proper
298 application, shall issue an initial educator certificate to any person who
299 has graduated (1) from a four-year baccalaureate program of teacher
300 education as approved by said state board, or (2) from a four-year
301 baccalaureate program approved by said state board or from a college
302 or university accredited by the board of governors or regionally
303 accredited, provided such person has taken such teacher training
304 equivalents as the State Board of Education shall require and, unless
305 such equivalents are taken at institutions outside of this state, as the
306 board of governors shall accredit, or (3) with a master's degree or
307 higher in education from a graduate program approved by said state
308 board or from a college or university accredited by the board of
309 governors or regionally accredited. In addition, on and after July 1,
310 1993, each applicant shall have completed a subject area major as
311 defined by the State Board of Education. Each such initial educator
312 certificate shall be valid for three years, except as provided in
313 subsection (c) of this section, and may be extended by the
314 Commissioner of Education for an additional year for good cause upon
315 the request of the superintendent in whose school district such person
316 is employed or upon the request of the assessment team reviewing
317 such person's performance.

318 Sec. 14. Section 17a-248d of the general statutes is amended by
319 adding subsection (e) as follows (*Effective October 1, 2003*):

320 (NEW) (e) The state-wide system shall include a system for required
 321 notification to any local or regional school board of education no later
 322 than January first of each year of any child who resides in the local or
 323 regional school district, participates in the state-wide program and will
 324 attain the age of three during the next fiscal year.

325 Sec. 15. Section 10-266t of the general statutes is repealed and the
 326 following is substituted in lieu thereof (*Effective July 1, 2003*):

327 (NEW) (h) Notwithstanding subsections (d) and (e) of this section, a
 328 school district may charge fees for participation in after-school
 329 academic enrichment, support or recreational programs, provided the
 330 fees are calculated on a sliding scale based on ability to pay and that no
 331 fee exceeds seventy-five per cent of the average cost of participation.
 332 No school district may exclude a student from participation in such
 333 after-school academic enrichment, support and recreational programs
 334 due to inability to pay a fee.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>
Sec. 5	<i>July 1, 2003</i>
Sec. 6	<i>July 1, 2003</i>
Sec. 7	<i>July 1, 2003</i>
Sec. 8	<i>July 1, 2003</i>
Sec. 9	<i>July 1, 2003</i>
Sec. 10	<i>July 1, 2003</i>
Sec. 11	<i>July 1, 2003</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>July 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>July 1, 2003</i>

ED Joint Favorable Subst.